

REMARKS

The Official Action mailed January 25, 2005, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicants respectfully submit that this response is being timely filed.

Initially, the Examiner is thanked for taking time to grant a Personal Interview to the Applicants' representatives on April 4, 2005. During the interview, the amendments submitted herewith were discussed, and it was agreed the Examiner would further consider this matter upon the filing of this response.

The Applicants note with appreciation the consideration of the Information Disclosure Statements filed on November 9, 2001, December 12, 2002, March 20, 2003, August 18, 2003, January 8, 2004, and November 12, 2004. Please note, a further Information Disclosure Statement was filed February 14, 2005. The Applicants respectfully request that the Examiner provide an initialed copy of the Form PTO-1449 evidencing consideration of the Information Disclosure Statement filed February 14, 2005.

Claims 1-109 are pending in the present application, of which claims 1, 6, 10, 15, 19, 23, 27, 32, 36, 40, 44, 48, 51, 55, 58, 61, 64, 68, 71, 74, 77, 81, 84, 88, 91, 94, 97, 101, 104 and 107 are independent. Independent claims 6, 15, 27, 48, 64, 81 and 97 have been amended to better recite the features of the present invention. The Applicants note with appreciation the allowance of claims 1-5, 10-14, 19-26, 31-47, 51-63, 68-80, 84-96 and 100-109 (page 4, Paper No. 01172005). For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claims 6-9, 15-18, 27-30, 48-50, 64-67, 81-83 and 97-99 as obvious based on the combination of U.S. Patent No. 5,817,550 to Carey et al. and U.S. Patent No. 5,891,766 to Yamazaki et al. The Applicants respectfully submit

that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

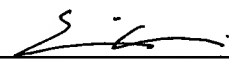
As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claims 6, 15, 27, 48, 64, 81 and 97 have been amended to recite allowable subject matter. Specifically, the claims have been amended to recite that an irradiation area of the laser beam at the semiconductor film has an oval shape having an aspect ratio of 10 or more. These claims have also been amended to remove features which are not believed to be critical to the patentability of the claims. Carey and Yamazaki '766, either alone or in combination, do not teach or suggest at least the above-referenced features of the present invention.

Since Carey and Yamazaki '766 do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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